

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		Attorney Docket No.	04637/0200019-US0	
		First Inventor	Michael E. Lopata	
		Title	APPARATUS FOR ESTABLISHING ADJUSTABLE DEPTH BED IN TRENCHES FOR UTILITY LINES AND ENCASING THE LINES	
		Express Mail Label No.	+	
<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small>		<b>ADDRESS TO:</b> MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small>	2. <input checked="" type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small>	3. <input checked="" type="checkbox"/> Specification <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <small>[Total Sheets 3]</small>	
5. Oath or Declaration a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small>		6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: _____ Prior application information: Examiner _____ Art Unit: _____ <b>For CONTINUATION OR DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.				
<b>19. CORRESPONDENCE ADDRESS</b> <input checked="" type="checkbox"/> Customer Number: 07278 OR <input type="checkbox"/> Correspondence address below				
Name		DARBY & DARBY P.C. S. Peter Ludwig		
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Registration No. (Attorney/Agent)		25,351		
Name (Print/Type)		S. Peter Ludwig		
Signature		[Signature]		
Date		September 26, 2003		

10/672024

09/26/03

09/26/03



14230 U.S. PTO

PTO/SB/17 (10-02)

Approved for use through 10/31/2002. OMB 0651-0032

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<h2 style="margin: 0;">+FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2003</h3> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision.</p>		<b>Complete if Known</b>													
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>Not Yet Assigned</td></tr> <tr><td>Filing Date</td><td>Concurrently+++</td></tr> <tr><td>First Named Inventor</td><td>Michael E. Lopata</td></tr> <tr><td>Examiner Name</td><td>Not Yet Assigned</td></tr> <tr><td>Group Art Unit</td><td>N/A</td></tr> <tr><td>Attorney Docket No.</td><td>04637/0200019-USO</td></tr> </table>		Application Number	Not Yet Assigned	Filing Date	Concurrently+++	First Named Inventor	Michael E. Lopata	Examiner Name	Not Yet Assigned	Group Art Unit	N/A	Attorney Docket No.	04637/0200019-USO
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<b>TOTAL AMOUNT OF PAYMENT</b> (\$)    415.00															

  

<b>METHOD OF PAYMENT</b> (check all that apply) <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> Check    <input type="checkbox"/> Credit Card    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other    <input type="checkbox"/> None         </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Deposit Account         </div> <div style="margin-top: 5px;">           Deposit Account Number: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span>            Deposit Account Name: <span style="border: 1px solid black; display: inline-block; width: 150px; height: 1.2em; vertical-align: middle;"></span> </div> <p style="font-size: small;">The Commissioner is hereby authorized to: (check all that apply)</p> <div style="margin-top: 5px;"> <input type="checkbox"/> Charge fee(s) indicated below    <input checked="" type="checkbox"/> Credit any overpayments         </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application         </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.         </div>	<b>FEE CALCULATION</b> (continued)  <b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>400</td><td>2252</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>920</td><td>2253</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,440</td><td>2254</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,960</td><td>2255</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,280</td><td>2453</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,280</td><td>2501</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>460</td><td>2502</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>620</td><td>2503</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>1809</td><td>740</td><td>2809</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>740</td><td>2810</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>740</td><td>2801</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <div style="margin-top: 5px;">           Other fee (specify) _____         </div> <div style="text-align: right; margin-top: 5px;"> <b>SUBTOTAL (3)</b>    (\$)    40.00         </div>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	400	2252	200	Extension for reply within second month		1253	920	2253	460	Extension for reply within third month		1254	1,440	2254	720	Extension for reply within fourth month		1255	1,960	2255	980	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,280	2453	640	Petition to revive - unintentional		1501	1,280	2501	640	Utility issue fee (or reissue)		1502	460	2502	230	Design issue fee		1503	620	2503	310	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00	1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))		1810	740	2810	370	For each additional invention to be examined (37 CFR 1.129(b))		1801	740	2801	370	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1001</td><td>740</td><td>2001</td><td>370</td><td>Utility filing fee</td><td>375.00</td></tr> <tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>510</td><td>2003</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>740</td><td>2004</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <div style="text-align: right; margin-top: 5px;"> <b>SUBTOTAL (1)</b>    (\$)    375.00         </div>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	740	2001	370	Utility filing fee	375.00	1002	330	2002	165	Design filing fee		1003	510	2003	255	Plant filing fee		1004	740	2004	370	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <div style="margin-top: 5px;"> <table style="width: 100%; font-size: small;"> <tr> <td>Total Claims</td> <td>16+</td> <td>-20** =</td> <td><input type="text"/></td> <td>x</td> <td>Fee from below</td> <td>=</td> <td><input type="text"/></td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>-3** =</td> <td><input type="text"/></td> <td>x</td> <td>Fee from below</td> <td>=</td> <td><input type="text"/></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>=</td> <td><input type="text"/></td> </tr> </table> </div> <table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> <div style="text-align: right; margin-top: 5px;"> <b>SUBTOTAL (2)</b>    (\$)    0.00         </div> <p style="font-size: x-small;">**or number previously paid, if greater; For Reissues, see above</p>		Total Claims	16+	-20** =	<input type="text"/>	x	Fee from below	=	<input type="text"/>	Independent Claims	1	-3** =	<input type="text"/>	x	Fee from below	=	<input type="text"/>	Multiple Dependent						=	<input type="text"/>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	S. Peter Ludwig	Registration No. (Attorney/Agent)	25,351
Signature		Telephone	(212) 527-7770
		Date	September 26, 2003

## Certificate of Express Mailing Under 37 CFR 1.10

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Utility Patent Application Transmittal  
Patent Application Fee Transmittal  
Specification and claims 14 pages  
Drawings (3 sheets, Figs. 1-5)  
Declaration (executed)  
Assignment (executed)  
Recordation Form Cover sheet  
Application Data Sheet

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